

02-07-02

**NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)**

[] Duplicate
(check, if applicable)

J1064 U.S. PTO
02/05/02

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

Attorney Docket No. 10059-270U1 (P20277-02)
First Named Inventor: K. Hayashi et al.
Express Mail Label No. EL916935632US
Total Pages of Transmittal Form: 2

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IC869 U.S. PRO
10/06/7472
02/05/02

Transmitted herewith for filing is the non-provisional utility patent application entitled:

**NICKEL ELECTRODE ACTIVE MATERIAL FOR ALKALINE STORAGE BATTERIES
AND NICKEL ELECTRODE USING THE SAME**

which is:

- an [] Original; or
- a [X] Continuation, [] Divisional, or [] Continuation-in-part (CIP) of prior Application No. 09/255,583 filed February 22, 1999.
Anticipated Group/Art Unit: ____ or Class ____, Subclass ____.
- [] This non-provisional patent application is based on Provisional Patent Application No. ____, filed ____.

Enclosed are:

- [X] Specification (including Abstract) and claims: 22 pages.
- [X] Newly executed Declaration (original).
- [] Copy of Declaration from prior application.
- [] Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- [X] 6 sheets of drawings (formal).
- [] Transmittal Letter Accompanying Submission of Compact Disc in Accordance with 37 C.F.R. §1.52(e), plus two identical compact discs (for computer program Appendix)
- [] Nucleotide and/or Amino Acid Sequence Submission, including:
 - [] Computer readable copy [] Paper Copy [] Verified Statement.
- [] Under PTO-1595 Cover Sheet, an assignment of the invention
- [] Name of Assignee: Matsushita Electric Industrial Co., Ltd.
- [X] Certified copy(ies) of Japanese Application No. 10-040704 filed February 23, 1998 is filed:
 - [] herewith or [X] in prior application 09/255,583.
- [] Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as [] an Independent Inventor, or [] a Small Business Concern, or [] a Non-Profit Organization.
- [X] Preliminary Amendment.
- [X] Information Disclosure Statement, PTO/SB/08A and copies of non-U.S. patent references.

Request Nonpublication of Application Under 35 U.S.C. §122(b)

Other:

The filing fee is calculated as follows:

			SMALL ENTITY				LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:				BASIC FEE:	
Total	4 - 20 =	0	\$370		OR		\$740	
Independent	2 - 3 =	0	X42		OR		X84	
<input type="checkbox"/> Multiple Dependent Claims Present			\$140		OR		\$280	
			TOTAL		\$		TOTAL \$ 740.00	

- The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.
- A check in the amount of \$ 740.00 to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-1017 (Billing No. 210059.0409)** as noted below. A duplicate copy of this sheet is enclosed.
- Any overpayments or deficiencies in the above-calculated fee.
- Filing fee in the amount of \$ _____ as calculated above.
- Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

5 February 2002
(Date)

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Enclosures